

REMARKS

Status of the Application

Claims 22-32 are all the claims pending in the application. Claims 11-21 are withdrawn from further consideration. Claim 27 is objected to because it is dependent on a withdrawn claim. Claims 22-25 and 30 are rejected under 35 U.S.C. § 102(e) as being anticipated by Koenck et al. (US Publication 2004/0166895). Claim 31 is rejected under 35 U.S.C. § 102(e) as being anticipated by Hollstrom et al. (US Patent 7,239,891). Claim 26 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Koenck et al. (US Publication 2004/0166895) in view of Silverbrook et al. (US Patent 6,405,055). Claim 32 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hollstrom et al. (US Patent 7,239,891) in view of Stephenson (US Patent 6,241,351). Claims 27-29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

By this Amendment, Applicants are amending claims 22, 27, 30 and 31, are canceling claim 23, and are adding new claims 33 and 34.

Preliminary Matters

Applicants thank the Examiner for indicated that the drawings filed on April 2, 2004 are accepted.

Applicants further thank the Examiner for considering and initialing the Information Disclosure Statements filed on April 2, 2004; June 28, 2007 and March 11, 2008.

Applicants request the Examiner acknowledge Applicants' claim to foreign priority and receipt of the certified copy of the priority document in the next Office Communication.

Claim Objections

Claim 27 is objected to because it is dependent on a withdrawn claim.

Applicants hereby amend claim 27 in order to obviate the objection.

Allowable Subject Matter

Claims 27-29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants thank the Examiner for indicating that claim 27 would be allowable if rewritten in independent form. Therefore, Applicants hereby write claim 27 in independent form, placing claim 27 in condition for immediate allowance. Claims 28 and 29 are also in condition for immediate allowance based at least on their dependency from claim 27.

Claim Rejections - 35 U.S.C. § 102

Claims 22-25 and 30 are rejected under 35 U.S.C. § 102(e) as being anticipated by Koenck et al. (US Publication 2004/0166895).

Applicants hereby write the subject matter of claim 23 into independent claim 22, and cancel claim 23. With regard to the subject matter of claim 23, the Examiner alleges that paragraph 0122 of Koenck discloses the subject matter thereof. However, paragraph [01222]

simply refers to “docks”, which are batch transfer devices for transferring accumulated data, battery charging devices, or cables which may connect to a code scanner. However, Koenck fails to disclose that these “docks” may house a part of the portable communication terminal including the first connector, and are provided with the second connector being at an inner side of the housing, as recited in amended claim 22. Thus, Koenck cannot anticipate amended claim 22, as Koenck fails to clearly and unequivocally disclose every element and limitation of the claimed invention.¹

Claims 24 and 25 are patentable at least by virtue of their dependency from proposed amended claim 22.

With regard to claim 30, Applicants hereby write the allowable subject matter of claim 27 into claim 30. Because the Examiner has indicated that the subject matter is allowable, Applicants respectfully submit that amended claim 30 is in condition for immediate allowance.

Claim 31 is rejected under 35 U.S.C. § 102(e) as being anticipated by Hollstrom et al. (US Patent 7,239,891).

With regard to claim 31, Applicants hereby write the allowable subject matter of claim 27 into claim 31. Because the Examiner has indicated that the subject matter is allowable, Applicants respectfully submit that amended claim 31 is in condition for immediate allowance.

¹ A claim is anticipated only if each and every element as set forth in the claim is found either expressly or inherently in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). In fact, the identical invention must be shown in as complete detail as contained in the claim. Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claim Rejections - 35 U.S.C. § 103

Claim 26 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Koenck et al. (US Publication 2004/0166895) in view of Silverbrook et al. (US Patent 6,405,055).

Claim 26 depends from proposed amended claim 22. Because Koenck fails to disclose all of the elements of amended claim 22, and because Silverbrook fails to cure the noted deficiencies with regard to Koenck, claim 26 is patentable over the applied art.

Claim 32 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hollstrom et al. (US Patent 7,239,891) in view of Stephenson (US Patent 6,241,351).

Claim 32 depends from amended claim 22. Because Hollstrom is not used to reject claim 22 and fails to disclose all of the elements of amended claim 22, and because Stephenson fails to cure the deficiencies in Hollstrom, claim 32 is patentable over the applied art.

New Claims

Applicants hereby add new claims 33 and 34, which depends from amended claim 22. Claims 33 and 34 are patentable at least by virtue of their dependency from claim 22.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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